

IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF ALABAMA  
NORTHERN DIVISION

RECEIVED A 9:57

16 MAY 2007

J. N. HACKETT  
U.S. DISTRICT COURT  
MIDDLE DISTRICT OF ALABAMA

HENRY JOINEK

PLAINTIFF(S)

2:07-CV-380-MEF  
(WO)

v.

2:07-CV-381-MEF  
(WO)

D.T. MARSHALL, et. al.,

DEFENDANT(S)

2:07-CV-386-WKW  
(WO)

MOTION FOR RECONSIDERATION

I, Henry Joinek, pro se, motion for reconsideration because I have no money, I, because of substantial hardship, am unable to pay the docket fee and service fees in this case. I request that payment of these fees be waived, taxed as cost, because I have no money. In order to get due process of the law and equal protection of the law, and a speedy trial, by the 6, 7, 8, 14 withs United States Constitution Amendments.

IF my case is dismiss, frivolous, my life will be in imminent danger of serious physical injury, relief, any relief the court can grant:

①

PROOF OF SERVICE

I, Henry Joiner, Pro-se, CERTIFY that ON 16 May 2007, I did MAIL A COPY OF the MOTION FOR RECONSIDERATION to the DEFendant(s), by placing a copy in the United States POST OFFICE BOX, to be mail to the following AS:

D.T. MARSHALL, et. al.,  
Montgomery County SHERIFF DEPARTMENT  
250 SOUTH McDonough St.  
Montgomery, Alabama 36104

416-98-5944

Pro-se Henry Joiner

Address of Pro-se

Pro-se HERRY JOINER  
M.C.D.F.  
BOOK NO. #1092  
P.O. BOX 4599  
MONTGOMERY, ALABAMA 36103  
36103

(2)

State of Alabama  
Unified Judicial SystemForm C-10  
Page 1 of 2

Rev. 2/95

AFFIDAVIT OF SUBSTANTIAL  
HARDSHIP AND ORDERCase Number  
2:07-CV-380-MEF  
2:07-CV-381-MEF  
2:07-CV-386-WKWIN THE UNITED STATES DISTRICT COURT OF MONTGOMERY, ALABAMA  
(Circuit, District, or Municipal)

(Name of County or Municipality)

STYLE OF CASE: Henry Smith Plaintiff(s) v. John Doe Defendant(s)TYPE OF PROCEEDING: Civil CHARGE(s) (if applicable): None

CIVIL CASE-- I, because of substantial hardship, am unable to pay the docket fee and service fees in this case. I request that payment of these fees be waived initially and taxed as costs at the conclusion of the case.

CIVIL CASE-- (such as paternity, support, termination of parental rights, dependency) - I am financially unable to hire an attorney and I request that the court appoint one for me.

CRIMINAL CASE-- I am financially unable to hire an attorney and request that the court appoint one for me.

DELINQUENCY/NEED OF SUPERVISION-- I am financially unable to hire an attorney and request that the court appoint one for my child/me.

## AFFIDAVIT

## SECTION I.

## 1. IDENTIFICATION

Full name Henry Smith Date of birth 11/11/1950  
 Spouse's full name (if married) N/A  
 Complete home address 1111 1st Street, Montgomery, AL 36104-5651  
 Number of people living in household 1  
 Home telephone number N/A  
 Occupation/Job None Length of employment None  
 Driver's license number N/A Social Security Number 416-98-5944  
 Employer N/A Employer's telephone number (205) 210-1234  
 Employer's address None

## 2. ASSISTANCE BENEFITS

Do you or anyone residing in your household receive benefits from any of the following sources? (If so, please check those which apply.)

AFDC     Food Stamps     SSI     Medicaid     Other None

## 3. INCOME/EXPENSE STATEMENT

## Monthly Gross Income:

Monthly Gross Income  
 Spouse's Monthly Gross Income (unless a marital offense)  
 Other Earnings: Commissions, Bonuses, Interest Income, etc.  
 Contributions from Other People Living in Household  
 Unemployment/Workmen's Compensation,  
 Social Security, Retirements, etc.  
 Other Income (be specific) None

\$ None  
None  
None  
None  
None

TOTAL MONTHLY GROSS INCOME None\$ None

## Monthly Expenses:

A. Living Expenses  
 Rent/Mortgage  
 Total Utilities: Gas, Electricity, Water, etc.  
 Food  
 Clothing  
 Health Care/Medical  
 Insurance  
 Car Payment(s)/Transportation Expenses  
 Loan Payment(s)

\$ None  
None  
None  
None  
None

Form C-10 Page 2 of 2 Rev. 2/95

## AFFIDAVIT OF SUBSTANTIAL HARDSHIP AND ORDER

Monthly Expenses: (cont'd page 1)  
 Credit Card Payment(s)  
 Educational/Employment Expenses  
 Other Expenses (be specific) \_\_\_\_\_

## Sub-Total

B. Child Support Payment(s)/Alimony \$ \_\_\_\_\_ A \$ \_\_\_\_\_

## Sub-Total

C. Exceptional Expenses \$ \_\_\_\_\_ B \$ \_\_\_\_\_

**TOTAL MONTHLY EXPENSES (add subtotals from A & B monthly only)**

\$ \_\_\_\_\_

**Total Gross Monthly Income Less total monthly expenses:**

## DISPOSABLE MONTHLY INCOME

\$ \_\_\_\_\_

## 4. LIQUID ASSETS:

Cash on Hand/Bank (or otherwise available such as stocks, bonds, certificates of deposit)

\$ \_\_\_\_\_

Equity in Real Estate (value of property less what you owe)

\$ \_\_\_\_\_

Equity in Personal Property, etc. (such as the value of motor vehicles, stereo, VCR, furnishing, jewelry, tools, guns, less what you owe)

\$ \_\_\_\_\_

Other (be specific)

\$ \_\_\_\_\_

Do you own anything else of value?  Yes  No  
 (land, house, boat, TV, stereo, jewelry)

\$ \_\_\_\_\_

If so, describe \_\_\_\_\_

## TOTAL LIQUID ASSETS

\$ \_\_\_\_\_

## 5. Affidavit/Request

I swear or affirm that the answers are true and reflect my current financial status. I understand that a false statement or answer to any question in the affidavit may subject me to the penalties of perjury. I authorize the court or its authorized representative to obtain records of information pertaining to my financial status from any source in order to verify information provided by me. I further understand and acknowledge that, if the court appoints an attorney to represent me, the court may require me to pay all or part of the fees and expenses of my court-appointed counsel.

*Henry Joiner*  
 Sworn to and subscribed before me this

15 day of May 2007

*Henry Joiner*  
 Affiant's Signature

Judge/Clerk/Notary

*Henry Joiner*  
 Print or Type Name

## ORDER OF COURT

## SECTION II.

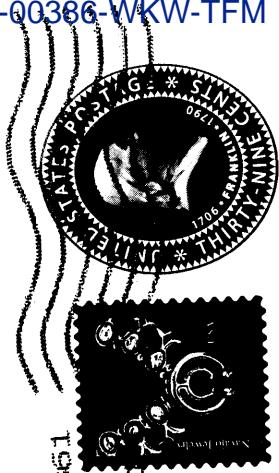
## IT IS THEREFORE, ORDERED, AND ADJUDGED BY THE COURT AS FOLLOWS:

- Affiant is not indigent and request is DENIED.
- Affiant is partially indigent and able to contribute monetarily toward his/her defense; therefore defendant is ordered to pay \$ \_\_\_\_\_ toward the anticipated cost of appointed counsel. Said amount is to be paid to the clerk of court or as otherwise ordered and disbursed as follows:
- Affiant is indigent and request is GRANTED.
- The prepayment of docket fees is waived.

IT IS FURTHER ORDERED AND ADJUDGED that \_\_\_\_\_, is hereby appointed as counsel to represent affiant.

IT IS FURTHER ORDERED AND ADJUDGED that the court reserves the right and may order reimbursement of attorney's fees and expenses, approved by the court and paid to the appointed counsel, and costs of court. Done this \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_.

Judge



MONTGOMERY AL 351

17 MAY 2007 PM

INMATE MAIL

17 MAY 2007

36101+0711 2007